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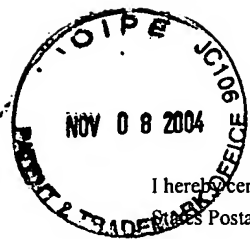
PTO/SB/21 (04-04)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/002,595	
	Filing Date	November 1, 2001	
	First Named Inventor	SIRHAN, MOTASIM	
	Art Unit	3738	
	Examiner Name	Phan, Hieu	
Total Number of Pages in This Submission	7	Attorney Docket Number	020460-001600US/146-01-CIP

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Townsend and Townsend and Crew LLP James M. Heslin Reg. No. 29,541
Signature	<i>[Signature]</i>
Date	November 4, 2004

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	JoAnn Evangelista
Signature	<i>[Signature]</i>
Date	November 4, 2004



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PATENT  
Attorney Docket No.: 020460-001600US  
Client Reference No. 146-1-CIP

On November 4, 2004

TOWNSEND and TOWNSEND and CREW LLP

By:

*JoAnn Evangelista*  
JoAnn Evangelista

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

SIRHAN, MOTASIM et al.

Application No.: 10/002,595

Filed: November 1, 2001

For: DELIVERY OF THERAPEUTIC  
CAPABLE AGENTS

Confirmation No. 4760

Examiner: PHAN, HIEU

Technology Center/Art Unit: 3738

**TELEPHONIC INTERVIEW  
SUMMARY pursuant to 37 CFR 1.133  
and MPEP 713.04**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant's undersigned attorney called Examiner McDermott, Examiner Phan's Supervisor, regarding the status of three related cases:

Application Nos. 09/783,253;

09/783,254; and

10/002,595.

In each of these cases, restriction/election of species requirements had been sent out by Examiner Phan. Attempts to reach Examiner Phan by telephone were unsuccessful, so a call was made to Examiner McDermott.

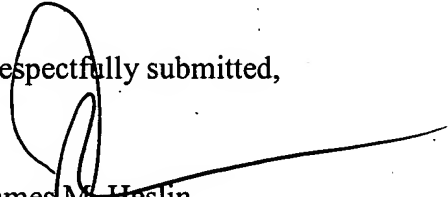
In 09/783,253, a second restriction requirement had been sent out after two substantive responses and an appeal brief had been filed by Applicants. Examiner McDermott indicated that she was going to discuss this case with Examiner Phan and instruct him to withdraw the restriction mailed on August 11, 2004.

In 09/783,254, a second restriction had been sent out after Applicants had filed four substantive responses to four office actions. Examiner McDermott indicated that she was going to discuss this case with Examiner Phan and instruct him to withdraw the restriction mailed on August 24, 2004.

In 10/002,595, Examiner McDermott indicated that she did not believe that the third restriction requirement mailed on August 11, 2004 was improper. Applicants reserve the right to traverse the restriction should they choose to do so.

On Tuesday, October 12, 2004, Examiner Phan phoned Applicant's attorney to discuss these cases and left voicemail message. Attempts to return the call to Examiner Phan have been unsuccessful.

Respectfully submitted,



James M. Heslin  
Reg. No. 29,541

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